

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**ORIGINAL**

(1) Raymond Gault Jr. 344213  
(Name of Plaintiff) (Inmate Number)

S.C.I. P.O. Box 500 Georgetown DE 19956  
(Complete Address with zip code)

(2) \_\_\_\_\_  
(Name of Plaintiff) (Inmate Number)

\_\_\_\_\_  
(Case Number)  
( to be assigned by U.S. District Court)

\_\_\_\_\_  
(Complete Address with zip code)

(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

vs.

(1) Drill Instructor Byrd,  
(2) Sussex Boot Camp Facility  
(3) Acting Commander Warden Kearney  
(Names of Defendants)

(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

**I. PREVIOUS LAWSUITS**

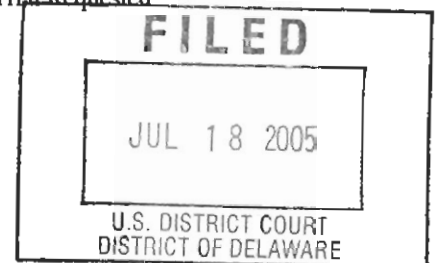
- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**CIVIL COMPLAINT**

- • Jury Trial Requested



**II. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☐ Yes ☒ No
- C. If your answer to "B" is Yes:

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

- D. If your answer to "B" is No, explain why not: I was told my claim was not a grievable offense

**III. DEFENDANTS (in order listed on the caption)**

(1) Name of first defendant: D.I. Byrd

Employed as Drill Instructor at S.B.C. S.C.I.

Mailing address with zip code: P.O. Box 500 Georgetown DE 19956

(2) Name of second defendant: Sussex Boot Camp Facility

Employed as Shock Incarceration Program at S.B.C., S.C.I.

Mailing address with zip code: P.O. Box 500 Georgetown DE 19956

(3) Name of third defendant: \_\_\_\_\_

Employed as \_\_\_\_\_ at \_\_\_\_\_

Mailing address with zip code: \_\_\_\_\_

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

**IV. STATEMENT OF CLAIM**

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. On, or about March 17<sup>th</sup>, 2005 I participated in a session of A.M.S. (Afternoon Motivational Session) outside S.B.C. (Sussex Boot Camp) on the P.T. Field, with D.I. Byrd. After doing several exercises I was instructed to do an exercise
2. called "the Walrus", from the Key Building all the way to the pavement. At the time I was not aware the exercise was not a part of Boot Camp's P.T., I thought it was just an extreme exercise for A.M.S.,
3. During the exercise I injured my left Shoulder and am still currently, after almost three months unable to do any upper body exercises. The injury almost effected my stay at Boot Camp due to the fact I can't exceed all Boot Camp Standards,

**V. RELIEF**

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like a settlement for Pain and Suffering. I would like for the Boot Camp's physical training sessions to be more observed by the upper staff, so the same thing doesn't happen again

2. el would also like a settlement  
for Mental Anguish due to the  
stress that was caused from  
Drill Instructors from not being able to  
do all exercises

3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15<sup>th</sup> day of June, 2005.

Raymond Launth Jr  
(Signature of Plaintiff 1)

\_\_\_\_\_  
(Signature of Plaintiff 2)

\_\_\_\_\_  
(Signature of Plaintiff 3)

I/M: Raymond Gault Jr. BLDG. Key South B-Teir  
SUSSEX CORRECTIONAL INSTITUTION  
P.O. BOX 500  
GEORGETOWN, DE 19947  
**X-RAY**

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